

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JAMES E. NOBLES,

Plaintiff,

v.

**PD OFFICE and DALLAS COUNTY
SHERIFF'S OFFICE,**

Defendants.

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Civil Action No. **3:10-CV-2294-L**

ORDER

Before the court is the Findings, Conclusions, and Recommendation of the United States Magistrate Judge ("Report"), filed December 7, 2010.* Plaintiff filed timely objections on December 21, 2010.

Plaintiff filed this Complaint challenging a bond forfeiture in a state misdemeanor case. The magistrate judge found that the action should be summarily dismissed because Plaintiff failed to comply with a prior court order. In a previous civil action, Plaintiff was ordered to pay a \$500 sanction, and, if he did not pay the sanction, any subsequent civil actions would be summarily dismissed. *See Nobles v. Roberson*, 3:03-cv-2703-M (N.D. Tex.).

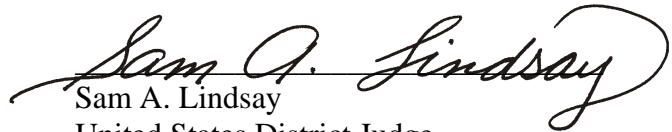
After broadly construing the Plaintiff's objections, the court determines that the objections do not address the magistrate's conclusion. Plaintiff has failed to allege or show that he has complied with the previous sanction order, and the clerk's docket does not reflect that such payment has been

* Plaintiff instituted this suit as a Petition for a Writ of Habeas Corpus by a Person in State Custody. Plaintiff is a pre trial detainee. Plaintiff has not been convicted of a crime relating to his current detention nor has Plaintiff requested speedy trial relief. The court **determines** that the docket incorrectly refers to Nobles as "Petitioner." He should be referred to as "Plaintiff." Accordingly, the court **directs** the clerk of the court to change Noble's designation to "Plaintiff" and those he sued to "Defendants."

made. The court determines that Plaintiff has failed to raise specific objections to the magistrate judge's Report. Consequently, the court **overrules** Plaintiff's objections.

Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. They are therefore **accepted** as those of the court. Accordingly, the court **dismisses** this action **without prejudice**.

It is so ordered this 4th day of January, 2011.


Sam A. Lindsay
United States District Judge